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7 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
8 **OF THE STATE OF WASHINGTON**

9 IN THE MATTER OF ENFORCEMENT
ACTION AGAINST

PDC CASE NO.: 01-203 and 01-204

10 King County
King County Dept. of Transportation
11 King County Transit

STIPULATION OF FACTS

12 Respondents.
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14 King County, King County Department of Transportation and King County Transit
15 (Respondents) and Public Disclosure Commission Enforcement Staff (Staff) jointly submit this
16 Stipulation of Facts for Commission consideration in lieu of a full enforcement hearing before
17 the Commission. The parties agree that pursuant to RCW 42.17.360 et. seq., the Commission
18 has the authority to accept, decline, or to suggest modifications to this Stipulation. The parties
19 also agree that this Stipulation pertains only to statements of fact, not to any conclusions of
20 law.

21 **Facts**

22 Both parties agree that with the exceptions noted below, the Notice of Administrative
23 Charges contains accurate statements of fact. The Report of Investigation and all of its exhibits
24 are incorporated in this Stipulation by reference.
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1 For purposes of this Stipulation, Staff will not dispute the Respondent's request to the
2 following modifications to the Notice of Administrative Charges and Report of Investigation:

3 (A) Where any conflict or inconsistency appears between the Report of Investigation,
4 Notice of Administrative Charges, and/or Exhibits, the Exhibits will control.

5 (B) Added to the existing exhibits will be Exhibit 15, an April 6, 2001 letter from the
6 King County Office of the Prosecuting Attorney to Monte Benham .

7 (C) The last sentence of the second paragraph of page 5 of the Notice of
8 Administrative Charges is modified to the following: In the August 25th letter,
9 the Union notified King County, King County Department of Transportation, and
10 King County Transit that the purpose of the special assessment was to oppose
11 Initiative 745.

12 (D) The first sentence of the last paragraph of page 5 of the Notice of Administrative
13 Charges is modified to the following: ATU Local 587 used special assessment
14 funds to make payments to various groups.

15 (E) The second sentence of the last paragraph of page 5 of the Notice of
16 Administrative Charges is modified to the following: ATU Local 587 made
17 payments to various groups, including Citizens for Real Transportation Choices, a
18 political committee, which reported receiving from ATU Local 587 \$75,000 on
19 October 4, 2000, \$4,800 on October 31, 2000, and \$2,500 on October 2, 2000.

20 (F) The fourth sentence of subsection (f) on page 12 of the Report of Investigation is
21 stricken.

22 (G) The first sentence of subsection (c) on page 13 of the Report of Investigation is
23 modified to the following: He had concerns relating to the activities of the Union
24 in opposing I-745.
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1 (H) The Parties stipulate that some discrepancies exist between the Union's
2 accounting records and various reports filed with the PDC by recipients during
3 the 2000 Election.

4 Respondent and Staff are unable to agree that the facts stipulated above constitute
5 violations of RCW 42.17. The parties are also unable to jointly recommend an appropriate
6 penalty for the Commission. Each party intends to present a brief oral argument before the
7 Commission at the meeting scheduled for May 22, 2001.

8 Respectfully submitted this 22nd day of May, 2001.
9
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11 _____
Vicki Rippie, Executive Director

DATE SIGNED

14 _____
Peter Ruffatto, WSBA # 24366
15 Howard Schneiderman, WSBA # 19252
16 Attorneys for Respondent
King County
King County Department of Transportation
17 King County Transit

DATE SIGNED

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19 DATED this 22nd day of June, 2001.
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